SUTHERLAND

999 Peachtree St., N.E.
Atlanta, GA 30309-3996
404.853.8000 Fax 404.853.8806
www.sutherland.com

ATLANTA
AUSTIN
HOUSTON
NEW YORK
WASHINGTON DC

Facsimile

CONFIDENTIAL

Date: February 22, 2010 **Pages (including cover): 4**

TO:

Recipient Name	Firm/Company	Fax	Telephone
Examiner Lynn Bristol	U.S. Patent & Trademark Office	571.273.6883	571.272.6883

FROM: WILLIAM L. WARREN **Email address:** bill.warren@sutherland.com
Telephone: 404.853.8081 **User number:** 1295 **Client number:** 20825-0004

Message:

Re: U.S. Application No. 10/799,417
Applicant: Paul A. Krieg
Title: "METHODS FOR MODULATING ANGIOGENESIS WITH APELIN COMPOSITIONS"
Our Ref. No.: 20825-0004

Dear Examiner Bristol:

In response to our telephone conference on Friday, February 19th, attached please find a revised set of claims. I look forward to speaking with you in the near future.

Regards,

William L. Warren
Reg. No. 36,714

U.S. Utility Patent Application Serial No. 10/799,417 entitled,
"METHODS FOR MODULATING ANGIOGENESIS WITH APELIN COMPOSITIONS"

PROPOSED AMENDMENTS AS OF FEB 23, 2010

FOR DISCUSSION ONLY – DO NOT ENTER

1. (Currently Amended) A method of inhibiting angiogenesis in a patient in need thereof ~~biological sample~~, comprising

~~a. providing a biological sample; and~~

~~b. combining the biological sample in vivo with~~ administering to the patient an angiogenesis-inhibiting amount of a composition comprising ~~an inhibitor of apelin activity~~ an anti-apelin antibody or fragment thereof that binds apelin polypeptide of SEQ ID NO:4 and inhibits angiogenesis, wherein the angiogenesis is characterized by *in vivo* generation of a new blood vessel from an existing blood vessel.

2.-4. (Canceled)

5. (Original) The method of Claim 1, wherein the composition further comprises an anti-cancer agent and wherein the anti-cancer agent is selected from the group consisting of a chemotherapeutic agent, a radiotherapeutic agent, an anti-angiogenesis agent, and an apoptosis-inducing agent.

6. (Previously Presented) The method of Claim 5, wherein the composition comprises an anti-angiogenesis agent that inhibits an angiogenic factor selected from the group consisting of VEGF (VEGF-A), VEGF-B, VEGF-C, VEGF-D, VEGF-E, PIGF, acidic fibroblast growth factor (FGF-1), basic fibroblast growth factor (FGF-2), PDGFB, EGF, LPA, HGF, PD-ECF, IL-8, angiogenin, TNF-alpha, TGF-beta, TGF-alpha, proliferin, and PLGF.

7.-20. (Canceled)

21. (Original) The method of Claim 1, wherein the composition comprises a pharmaceutically acceptable carrier.

22. (Currently Amended) The method of Claim 1, wherein the patient is a mammal ~~biological sample is a mammalian biological sample~~.

23. (Currently Amended) The method of Claim 1, wherein the patient is a human ~~biological sample is a human biological sample~~.

24-25. (Canceled)

26. Currently Amended) The method of Claim 1 ~~24~~, wherein the patient has a disease or condition involving angiogenesis.

27. (Canceled)

28. (Currently Amended) The method of Claim 24, further comprising

~~c.~~ administering to the patient a therapeutically effective amount of an anti-cancer agent,

wherein the anti-cancer agent is selected from the group consisting of a chemotherapeutic agent, a radiotherapeutic agent, an anti-angiogenic agent, and an apoptosis-inducing agent.

29. (Original) The method of Claim 28, wherein the anti-cancer agent is an anti-angiogenic agent.

30. (Previously Presented) The method of Claim 28, wherein the anti-angiogenic agent is an inhibitor of an angiogenic factor selected from the group consisting of VEGF (VEGF-A), VEGF-B, VEGF-C, VEGF-D, VEGF-E, PIGF, acidic fibroblast growth factor (FGF-1), basic fibroblast growth factor (FGF-2), PDGFB, EGF, LPA, HGF, PD-ECF, IL-8, angiogenin, TNF-alpha, TGF-beta, TGF-alpha, proliferin, and PLGF.

31.-59. (Canceled)

60. (New) A method of inhibiting angiogenesis in a biological sample, comprising contacting the biological sample with an angiogenesis-inhibiting amount of a composition comprising an anti-apelin antibody or fragment thereof that binds the apelin polypeptide of SEQ ID NO:4 and inhibits angiogenesis, wherein the angiogenesis is characterized by *in vivo* generation of a new blood vessel from an existing blood vessel.

61. (New) The method of Claim 60, wherein the biological sample is a mammalian biological sample.

62. (New) The method of Claim 60, wherein the biological sample is a human biological sample.